

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VERNELL WATTS,

Plaintiff,

v.

A. YAMAGIWA, et al.,

Defendants.

No. 2:23-cv-1243 CSK P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding pro se and in forma pauperis. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. On February 8, 2024, the court screened plaintiff's complaint and granted plaintiff thirty days in which to notify the court how he wishes to proceed. Thirty days have passed, and plaintiff has not filed the Notice of Election form or otherwise responded to the court's order.

Although it appears from the file that plaintiff's copy of the order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

On April 2, 2024, the Chief Judge ordered that this action be reassigned to the undersigned. (ECF No. 9.) Plaintiff's copy of the order was served on plaintiff's address of record but on April 12, 2024, plaintiff's copy of the order was returned by the postal service

1 marked “undeliverable, paroled.” It appears that plaintiff has failed to comply with Local Rule
2 183(b), which requires that a party appearing in propria persona inform the court of any address
3 change.

4 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall appoint a
5 district judge to this action; and

6 IT IS RECOMMENDED that this action be dismissed without prejudice for failure to
7 prosecute. See Local Rule 183(b).

8 These findings and recommendations are submitted to the United States District Judge
9 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
10 after being served with these findings and recommendations, plaintiff may file written objections
11 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings
12 and Recommendations.” Any response to the objections shall be filed and served within fourteen
13 days after service of the objections. Plaintiff is advised that failure to file objections within the
14 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951
15 F.2d 1153 (9th Cir. 1991).

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17 Dated: April 29, 2024

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20 CHI SOO KIM
21 UNITED STATES MAGISTRATE JUDGE

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